

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TORRENCE LEWIS,

Petitioner,

v.

TIM GARRETT, *et al.*,

Respondents.

Case No. 2:21-cv-01971-ART-VSF

ORDER

In this habeas corpus action, the Court appointed counsel for the petitioner, Torrence Lewis, on October 28, 2021 (ECF No. 6), and, after counsel appeared for Lewis, the Court entered a scheduling order on November 29, 2021 (ECF No. 11). After an initial 91-day period, and extensions of time of 60 days, 90 days, 60 days, 92 days, 90 days, and 91 days, Lewis was due to file an amended habeas petition by June 26, 2023. (*See* ECF Nos. 11, 13, 15, 18, 20, 22 26.)

On June 26, 2023, Lewis filed a motion for extension of time (ECF No. 27), requesting a further 60-day extension, to August 25, 2023, to file his amended habeas petition. Lewis's counsel states that this motion for extension of time is made so that an expert report may be completed, and because of counsel's obligations in other cases.

Lewis's counsel states: "Counsel asks for this additional extension with the intent that it be the last request for more time, as counsel intends to file the federal petition as soon as possible." (ECF No. 27 at 2.)

While the Court makes no comment regarding the application or tolling of any statute of limitations applicable in this case, or regarding the admissibility of any new evidence presented in support of Lewis's amended petition, the Court

1 determines that Lewis's motion for extension of time is made in good faith and
2 not solely for the purpose of delay, and that there is good cause for the requested
3 extension of time.

4 It is therefore ordered that Petitioner's Motion for Extension of Time (ECF
5 No. 27) is granted. Petitioner will have until and including August 25, 2023, to
6 file his amended habeas petition. In all other respects, the schedule for further
7 proceedings set forth in the order entered November 29, 2021 (ECF No. 11) will
8 remain in effect.

9 DATED THIS 10th day of July, 2023.

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12 ANNE R. TRAUM
13 UNITED STATES DISTRICT JUDGE
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